

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 04 JUL 2006

PCT

Applicant's or agent's file reference 010093U2WO	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/US02/28461	International filing date (day/month/year) 06 September 2002 (06.09.2002)	Priority date (day/month/year) 06 September 2001 (06.09.2001)	
International Patent Classification (IPC) or national classification and IPC IPC: G06F 3/00; A63F13/06; H04L12/64; H04L29/06; H04J3/06; H04Q7/22; H04L12/28; G06K7/00; H04N7/26; G06F13 USPC: 709/230			
Applicant QUALCOMM, INCORPORATED			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>0</u> sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input checked="" type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 04 April 2003 (04.04.2003)		Date of completion of this report 21 June 2003 (21.06.2003)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201		Authorized officer <i>Robert B. Harrell</i> Robert B. Harrell Telephone No. (571) 272-3895	

Form PCT/IPEA/409 (cover sheet) (April 2005)

Box No. I Basis of the report

1. With regard to the language, this report is based on:

- ☒ the international application in the language in which it was filed.
- ☐ a translation of the international application into English, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4(a))
- ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☒ the international application as originally filed/furnished
- ☒ the description:
pages 1-81 as originally filed/furnished
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____
- ☒ the claims:
pages 82-95 as originally filed/furnished
pages* NONE as amended (together with any statement) under Article 19
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____
- ☒ the drawings:
pages 1-46 as originally filed/furnished
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/figs NONE
- ☒ the sequence listing (specify): NONE
- ☒ any table(s) related to the sequence listing (specify): NONE

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to the sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation to restrict or pay additional fees the applicant has, within the applicable time limit:
- ☐ restricted the claims.
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest, and, where applicable, the protest fee
 - ☐ paid additional fees under protest but the applicable protest fee was not paid
 - ☐ neither restricted the claims nor paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
- ☐ complied with.
 - ☒ not complied with for the following reasons:
- I. Claims 1-106 is one invention drawn to a controller being configured to generate transmit and receive packets and to form a digital presentation data into one or more types of data packets.
- II. Claim 107 is another different invention drawn to a state machine for use in obtaining synchronization in an electronic system for transferring digital data. synchronization in an electronic system for transferring digital data.
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☒ all parts
 - ☐ the parts relating to claims Nos. _____

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US02/28461**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)

Claims 2-25, 27-50, 52-79, and 82-105 YESClaims 1, 26, 51, 80, 81, 106, and 107 NO

Inventive Step (IS)

Claims 2-25, 27-50, 52-79, and 82-105 YESClaims 1, 26, 51, 80, 81, 106, and 107 NO

Industrial Applicability (IA)

Claims 1-107 YESClaims NONE NO**2. Citations and Explanations (Rule 70.7)**

1. Claims 1, 26, 51, 80, 81, and 106 lack novelty under PCT Article 33(2) as being anticipated by US 5,751,951 A (Osborne et al.).
2. Per claim 1, claim 26, claim 51, claim 80, claim 81, and claim 106, Osborne taught (e.g., see figure 26, figure 27, and col. 4 (lines 17-63)) a digital data interface (see Title, and figure 3A) for transferring digital presentation data (e.g., see Abstract) at a high rate between a host device (151 of figure 3A) and a client device (via 150 of figure 3A) over a communication path ("network" per Abstract) comprising: a plurality of packet structures linked together to form a communication protocol for communicating a pre-selected set of digital control and presentation data between a host and a client over said communication path (e.g., see figure 3B-14) and col. 5 (line 43-et seq.); and at least one link controller residing in said host device coupled to said client through said communications path, being configured to generate, transmit, and receive packets forming said communications protocol, and to form digital presentation data into one or more types of data packets (e.g., see figure 3A (150)) all of which was computer programmed and thus having a computer usable medium to hold a computer program product.
3. Claim 107 lacks novelty under PCT Article 33(2) as being anticipated by WO 98 02988 A (Philips Electronics).
4. Per claim 107, Philips taught on page 5 (line 1) to page 6 (line 17) and in figure 2, a state machine for use in obtaining synchronization in an electronic system transferring digital data at a high rate between a host device and a client device over a communication path, the state machine configured to have at least one Async Frames State synchronization state, at least two Acquiring Sync States synchronization states, and at least three In-Sync States synchronization states.

----- NEW CITATIONS -----

NONE

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: